IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

C.R.No.834 of 2006

DATE OF ORDER: 18.1.2007

Gurmail Singh

...Petitioner(s)

Versus

Balkaran Singh and Others

....Respondent(s)

CORUM : HON'BLE MR. JUSTICE M.M. AGGARWAL

.*.*.*.

Present: Mr. Gurcharan Dass, Advocate.

Mr. H.S. Bhullar, Advocate.

M.M. AGGARWAL,J

This is petition against judgment dated 18.10.2005 passed by Additional District Judge, Faridkot whereby an appeal filed by the plaintiff, now respondent against an order dated 25.5.2005 passed by Civil Judge (Jr.Divn.), Faridkot had been allowed and defendant was restrained from digging/carving a water course forcibly and illegally on the easter Watt of Khasra No.473 and 471 situated in the revenue estate of village Dhaipai, Tehsil Jaitu, Distt Faridkot, owned by the plaintiffs.

The facts of the case are that plaintiffs, now respondents had filed a suit for permanent injunction for restraining the defendants-

respondents from carving a water course forcibly and illegally.

Both the parties agree that there was civil writ petition No.17639 of 2005 filed by the plaintiffs against order dated 23.9.2005 of Canal Authorities, which has since been dismissed on 17.10.2005. In view of this, counsel for the respondents states that the present petition has become infructuous.

In view of the order of Canal Authorities, providing for water course towards Eastern side Khasra No.471/473, there is no merit in this revision and the same is dismissed..

January 18, 2007 (M.M. AGGARWAL)
manoj JUDGE